

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS HANOI 002878

SIPDIS

SENSITIVE

STATE FOR EAP/BCLTV AND CA

E.O. 12958: N/A

TAGS: PREL PGOV PHUM KJUS VM

SUBJECT: AMBASSADOR, CA A/S HARTY DISCUSS OPPORTUNITIES FOR COOPERATION WITH MINISTER OF JUSTICE

¶1. (SBU) Summary: During an October 20 meeting, Minister of Justice (MOJ) Uong Chu Luu identified for the Ambassador and Consular Affairs A/S Harty a number of areas where he thought the Vietnamese legal system needs reform, most notably in commercial law. Minister Luu also spoke very highly of his September study trip to the United States. The Ambassador proposed assistance to Vietnam's judicial system through a "next generation" of the STAR project and suggested a collaborative seminar on the training of lawyers. End Summary

¶2. (SBU) During an October 20 meeting with Ambassador and visiting Consular Affairs Assistant Secretary Maura Harty, Minister of Justice Uong Chu Luu began by praising the experiences of a delegation of top MOJ officials he led to the United States in September. Of particular interest were the measures taken in America to ensure the independence of judicial agencies, the role of bar associations in assisting the members to work effectively with court officials and how judges and public prosecutors in the United States identify their responsibilities in protecting the public interest. Luu added that he had been "very honored" to be able to discuss areas of cooperation with Attorney General Ashcroft during the trip.

¶3. (SBU) Minister Luu suggested a number of possible areas of bilateral cooperation to advance further Vietnamese legal reform. Since the signing of the Bilateral Trade Agreement, the MOJ had strengthened cooperation with the USG, and U.S. assistance in helping Vietnam to develop a "comprehensive and stable legal regime" would lead to enhanced commercial ties. The MOJ is now engaged in developing a legal reform strategy through 2010, and much of this will be focused on improving the court system, including increasing capacity for judicial investigation and developing the skills of prosecutors. As part of this, a recent Support for Trade Acceleration (STAR) project program to train lecturers at the Hanoi University of Law in commercial law -- something that Vietnam particularly "lacks" -- is significant. "We sometimes have suffered at the hands of more developed nations" as a result of a lack of training in commercial law, he said, citing foreign anti-dumping suits as an example.

¶4. (SBU) The Ambassador said that the USG will focus on helping the MOJ in these areas of reform. The "bedrock" of U.S. - Vietnam relations is trade and commercial ties, but these need a strong and transparent legal system to flourish. The USG is ready to offer similar assistance in criminal justice reform. Additionally, the USG now has to think about the "next generation" of the STAR project, and the Ambassador asked for MOJ suggestions to plan this. Developing the skills of Vietnam's lawyers and prosecutors is an area of particularly pressing need, the Ambassador noted, and the Embassy, the MOJ and the American Bar Association could possibly collaborate on a seminar to present American experiences in this area to Vietnam. Minister Luu said he would welcome such a seminar.

¶5. (U) A/S Harty and the Ambassador also raised the issues of adoptions and Consular notification of the detention of American citizens (reported septel).

MARINE